

AMENDED IN SENATE APRIL 25, 2002

AMENDED IN SENATE APRIL 17, 2002

AMENDED IN SENATE APRIL 1, 2002

## SENATE BILL

No. 1479

---

### Introduced by Senator Morrow

(Coauthors: Senators Bowen, Haynes, Knight, and Scott)

(Coauthors: Assembly Members Bates, Bill Campbell, Cogdill, Hollingsworth, Robert Pacheco, Pescetti, Runner, and Wyman)

February 19, 2002

---

An act to amend Section 26840 of, and to add Section 26840.5 to, the Government Code, relating to counties.

#### LEGISLATIVE COUNSEL'S DIGEST

SB 1479, as amended, Morrow. Marriage licenses: fees: premarital preparation course.

Existing law requires the county clerk to charge and collect fees fixed by law for services performed by him or her, including a \$10 fee for issuing a marriage license.

This bill would authorize a county to adopt an ordinance that provides a \$7 discount of the marriage license fee, *as specified*, if a couple, at their own expense, completes ~~a specified premarital preparation course~~, within one year prior to the date of the application for the license ~~with~~, *a specified premarital preparation course conducted by* a premarital preparation course provider who has registered with the county clerk and issues a certificate of completion to the couple to be filed with the county clerk.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~ *no*. State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 26840 of the Government Code is amended to read:

26840. (a) The fee for issuing a marriage license is ten dollars (\$10), to be collected at the time it is issued, unless a county adopts an ordinance pursuant to Section 26840.5. ~~One dollar (\$1) of this fee shall be paid to the county recorder, one dollar (\$1) of this fee shall be paid to the county clerk, and one dollar (\$1) of this fee shall be paid to the State Registrar of Vital Statistics and seven dollars (\$7) of this fee shall be disposed of pursuant to Section 54 of Chapter 120, Statutes of 1966, First Extraordinary Session. In counties an ordinance pursuant to Section 26840.5. Revenues from the fee shall be allocated as follows:~~

(1) *One dollar (\$1) of the fee shall be paid to the county recorder.*

(2) *One dollar (\$1) of the fee shall be paid to the county clerk.*

(3) *One dollar (\$1) of the fee shall be paid to the State Registrar of Vital Statistics.*

(4) *Seven dollars (\$7) of the fee shall be disposed of pursuant to Section 54 of Chapter 120 of the Statutes of 1966 of the First Extraordinary Session, unless a county adopts an ordinance pursuant to Section 26840.5.*

(b) *In counties where the salary of the county recorder is the sole compensation allowed by law, this fee shall be paid to the county treasurer who shall credit one dollar (\$1) to the county recorder and shall pay one dollar (\$1) to the State Registrar of Vital Statistics. The fee provided by this section is in full for all services of the clerk and recorder in connection with the issuance of a marriage license and the filing of a certificate of registry of marriage.*

SEC. 2. Section 26840.5 is added to the Government Code, to read:

26840.5. (a) A county may adopt an ordinance to provide a discount of seven dollars (\$7) of the marriage license fee required pursuant to Section 26840.

(b) An ordinance adopted pursuant to subdivision (a) shall require a couple to complete, within one year prior to the date of the application for their marriage license, a premarital preparation course that meets the requirements specified in this section.

(1) A premarital preparation course consisting of at least four hours of instruction shall include, but is not limited to, instruction regarding all of the following:

- (A) Conflict management.
- (B) Communications skills.
- (C) Financial responsibilities.
- (D) Children and parenting responsibilities.

(2) A premarital preparation course may be conducted by any of the following:

(A) A *clinical* social worker licensed pursuant to Chapter 14 (commencing with Section 4990) of Division 2 of the Business and Professions Code.

(B) Clergy or practitioners in a religious institution performing counseling services as part of his or her pastoral or professional duties.

(C) A ~~clinical~~ marriage and family therapist licensed pursuant to Chapter 13 (commencing with Section 4980) of Division 2 of the Business and Professions Code.

(D) A psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900) of Division 2 of the Business and Professions Code.

(E) An official representative of a religious institution performing religiously sanctioned counseling.

(F) Any other qualified provider approved by the county board of supervisors.

(3) The premarital preparation course provider has registered with the county clerk by filing a written affidavit that contains all of the following:

- (A) The provider's name, address, and telephone number.
- (B) A summary of the provider's qualifications and training.
- (C) A statement that the provider complies with the course requirements specified in this section.

(4) A premarital preparation course provider shall provide to each couple who completes the course a certificate of completion that specifies all of the following:

- (A) The names of the couple.
- (B) The name of the provider.
- (C) The date of completion of the course.



1 (c) The county clerk may establish a roster of premarital  
2 preparation course providers, including those who offer the course  
3 on a sliding fee scale or at no cost to the applicant.

4 (d) To receive a discounted marriage license, an applicant for  
5 the marriage license shall verify completion of a premarital  
6 preparation course by filing with the county clerk a valid  
7 certificate of course completion issued in compliance with this  
8 section.

9 (e) Any cost for a premarital preparation course shall be paid  
10 by the applicants for a marriage license.

